

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
April 4, 2004
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: no

Call to Order: Meeting was called to order at 9:55 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Vice-Chairperson Beatrice A. Law, Secretary Dexter McNamara, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley

Legal Staff Present: Allie Greenleaf Maldonado

Staff Present: Valerie Tweedie, Heidi Yapel, Deleta Gasco Smith, Marcia Sutton, Andrew Stich, Julie Shananaquet, Linda Woods, Al Colby, Jr.

Guests: Carol McFall, Rita Gasco Shepard, Carol Quinones, Bill McNamara, Daughtery Johnson III, John Keshick III, Joseph Medicine, Shirley Oldman, Denise Petoskey, Alice Hughes

Opening Ceremony: Frank Ettawageshik

Motion made by Councilor Regina Bentley and supported by Vice-Chairperson Beatrice A. Law to adopt the agenda with changes.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairperson Beatrice A. Law to approve the minutes of March 21, 2004 as corrected.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

10:12 a.m. recessed called for technology update

10:22 a.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to accept the Treasurer's written report, for April 4, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to adopt the Little Traverse Bay Bands of Odawa Indians contracting policy as presented by the Chief Financial Officer.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to authorize the Tribal Chairman to sign the contractual agreement with Klaus Robinson to update the Victories II marketing study for \$20,000 plus necessary travel, and reimbursable expenses.

Vote: 5 Yes, 2 No (Councilor Fred Harrington, Jr., Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to authorize the Tribal Chairman to sign a contractual agreement with Fishbeck Thompson to provide information and design work on water supply and wastewater handling/treatment for Victories II. Not to exceed \$10,000 to come from the Victories II Capital Project Fund.

Vote: 5 Yes, 2 No (Councilor Fred Harrington, Jr., Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to pay the Klaus Robinson contract agreement update for the Victories II Study to come from the Victories II Capital Project Fund.

Vote: 5 Yes, 2 No (Councilor Fred Harrington, Jr., Councilor Rita Shananaquet), Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Treasurer Alice Yellowbank to accept the Tribal Administrator's written report.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law to approve the Little Traverse Bay Bands of Odawa Indians Hawks basketball program a limited use provision of the Tribal Logo.

Motion Withdrawn

Motion made by Councilor Rita Shananaquet to request scheduling a work session date with the Tribal Council, Education Director, Education Commission, Chief Financial Officer, and Tribal Administrator, to address the future implementation of the Michelle Chingwa Education Assistance Scholarship program.

Motion Withdrawn

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to approve a limited license to use the Little Traverse Bay Bands of Odawa Indians logo solely for the printing of items associated with the Inter-Tribal Basketball program and sold to the Little Traverse Bay Bands of Odawa Indians Hawks basketball program or members of the Inter-Tribal basketball program to be awarded to a company of the Little Traverse Bay Bands of Odawa Indians Hawks basketball program's choosing.

Vote: 6 Yes, 0 No, 0 Absent, 1 Abstained (Vice-Chairperson Beatrice A. Law)
Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Secretary Dexter McNamara to accept the Chairman's verbal and written report for April 4, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr., to donate \$5,000 to the Anishinaabemowin Teg for the Annual Language Conference.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to remove the confidential information from the Chairman's report dated April 4, 2004, so the Chairman's report can be made public.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained
Motion Carried

11:46 a.m. Public comment opened: Rita Shepard, Andrew Stich, Deleta Gasco Smith

11:52 a.m. Public Comment closed

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to accept the verbal report from the Legal Department.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to donate \$5,000 to the Native American Rights Fund.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

12:00 p.m. lunch recess called

1:39 p.m. meeting reconvened

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairperson Beatrice A. Law to direct the Legal Department to write an amendment to the Enrollment Statute reflecting the membership criteria in repealed Waganakising Odawa Statute #1999013 and present to Council at our next meeting.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to dedicate the remainder of today's agenda to

Medwe Baapi, U.S. Army Veteran Bruce Kahgee who walked on during our lunch break.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Fred Harrington, Jr. sang an honor song for Medwe Baapi.

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to accept the resignation of Valerie Biro from the Gaming Administration, effective immediately and to declare Valerie's position vacant.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported Treasurer Alice Yellowbank to accept the Education Commission quarterly report for April 4, 2004 as presented by Shirley Oldman.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Councilor Fred Harrington, Jr., to accept the verbal and written quarterly report from the Election Board, given by Denise Petoskey.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to accept the Enrollment Commission's quarterly report for April 4, 2004 presented by the Chairperson, Marcia Sutton.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to accept the Health Commission's quarterly report as presented by Deleta Gasco Smith, April 4, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

2:48 p.m. recess called

2:50 p.m. Vice-Chairperson Beatrice A. Law leaves

2:56 p.m. meeting reconvened

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank to place on the Legislative agenda, the Commercial Fishing Vessel Safety Regulations Statute, as presented by the Natural Resource Department, Doug Craven Director.

Vote: 5 Yes, 1 No (Councilor Fred Harrington, Jr.), 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to adopt resolution #040404-01 Request for Funding from Northern Michigan Substance Abuse Services, Inc. Prevention Services FY 2004-2005, Little Traverse Bay Bands of Odawa Indians Substance Abuse Prevention Services Project.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt resolution #040404-02 Request for Funding from the Michigan Department of Community Health, Office of Drug Control Policy, FY 2004-2005 Governor's Discretionary Grants; Little Traverse Bay Bands of Odawa Indians Youth Drug Use Prevention Project.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to adopt resolution #040404-03 Request for Funding from the Michigan Department of Community Health, Office of Drug Control Policy, FY 2005 Byrne Memorial Formula Grant Program; Little Traverse Bay Bands of Odawa Indians Juvenile Intervention Strategies Project.

Roll Call: Tribal Chairman Frank Ettawageshik-no, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-no

Motion Failed

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt resolution # 040404-03 Request for Funding from the Institute of Museum and Library Services, 2004 Library Enhancement Grant.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-absent, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes

Motion Carried

3:58 p.m. Public Comment opened: Maria Sargent, Daugherty Johnson,

4:05 p.m. Public Comment closed

4:05 p.m. recess called

4:21 p.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to accept the Substance Abuse Department Community & Youth Questionnaire results presentation, presented by Cathy Olsen and Linda Woods.
Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

4:57 p.m. Secretary Dexter McNamara leaves

4:59 p.m. Secretary Dexter McNamara returns

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to approve enrollment list "A" Eligible for membership dated March 17, 2004.
Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank approve Enrollment list "B" Declination (Ineligible), dated March 17, 2004.
Vote: 3 Yes, 3 No (Councilor Fred Harrington, Jr., Treasurer Alice Yellowbank, Secretary Dexter McNamara), 1 Absent (Vice-Chairperson Beatrice A. Law), Abstained
Motion Failed

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to approve enrollment list "C" (Ineligible), dated March 17, 2004.
Vote: 3 Yes, 3 No (Councilor Fred Harrington, Jr., Treasurer Alice Yellowbank, Secretary Dexter McNamara), 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion failed

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to approve Burial Request #A0070 for \$5,000.
Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to authorize, travel and per-diem for Tribal Council members wishing to attend the Ziibiwing Cultural Center opening in Mount Pleasant on May 22, 2004.
Treasurer Alice Yellowbank withdraws motion
Secretary Dexter McNamara supports motion
Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Treasurer Alice Yellowbank), 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained
Motion Carried

5:27 p.m. Councilor Rita Shananaquet leaves

5: 31 p.m. Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to authorize, travel, per diem, and stipend for Tribal Council members to attend the special work session on April 30, 2004 for Personnel Policies, and May 21, 2004 for Michelle Chingwa Education Assistance Act.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara for any Tribal Council member to attend the Racino Inter-tribal Summit at Little River on April 12, 2004 to include travel, per diem and stipend.

Vote: 5 Yes, 1 No (Councilor Rita Shananaquet), 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to approve travel, stipend and per diem for all Tribal Council to attend the meeting of the U.S. Attorney on April 14, 2004 and to attend the initial presentation of the Victories II Design charette on April 16, 2004.

Vote: 6 Yes, 2 No (Councilor Fred Harrington, Jr., Councilor Rita Shananaquet), 1 Absent (Vice-Chairperson Beatrice A. Law) 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to adjourn at 5:39 p.m.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

Motion Carried

These Minutes have been read and approved as written:

Approved:

Dexter McNamara, Tribal Secretary

Date